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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

SURESH LAL,
 Petitioner,
 v.

MICHAEL CHERTOFF, Secretary of the
 Department of Homeland Security;
 DAVID STILL, BCIS Director; and
 ALBERTO GONZALES, Attorney
 General of the United States,
 Respondents.

No. C 05-4090-MJJ

**STIPULATION TO DISMISS; AND
~~PROPOSED~~ ORDER**

The respondents, by an through their attorneys of record, and the petitioner, by and through his attorney of record, hereby stipulate to dismissal of the above-captioned case in light of the fact that the United States Immigration and Customs Enforcement (ICE) has agreed to release the petitioner from ICE custody during the pendency of his motion for a stay of removal in *Lal v. Gonzales*, Ninth Circuit Appeal No. 05-77421, on a \$10,000 bond and participation in ICE's Intensive Supervision Appearance Program (ISAP).

Each of the parties shall bear their own costs and fees.

Date: February 13, 2006

Respectfully submitted,

KEVIN V. RYAN
United States Attorney

/s/
EDWARD A. OLSEN¹
Assistant United States Attorney
Attorneys for Respondents

Date: February 13, 2006

/s/
ASHWANI BHAKHRI, Esq.
Attorney for Petitioner

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Date: 2/15/2006



MARTIN J. JENKINS
United States District Judge

¹I, Edward A. Olsen, attest that both Attorney Ashwani Bhakhri have signed this stipulation to dismiss and will produce the original signed copies upon request.